

CITY OF TIGARD, OREGON

RESOLUTION NO. 04- 46

A RESOLUTION FINALIZING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 29 (SW PARK STREET AND DERRY DELL COURT)

WHEREAS, on August 26, 2003, the City Council approved Resolution 03-33 to form Sanitary Sewer District No. 29 to construct sewers in SW Park Street and Derry Dell Court in accordance with TMC Chapter 13.09; and

WHEREAS, Resolution 03-33 included the City Engineer's Report that included an estimated construction and total project cost; and

WHEREAS, construction of the sewer improvements has been completed, final costs have been determined and the City Engineer's Report has been revised to include the final costs as required by TMC13.09.105 (1); and

WHEREAS, the property owners within the district have been notified of an informational hearing in accordance with TMC 13.09.060 and an informational hearing was conducted in accordance with TMC 13.09.105; and

WHEREAS, the City Council has determined that the proposed revisions to the City Engineer's Report as recommended by the City Engineer are appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

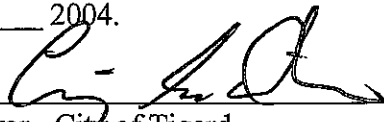
SECTION 1      The Final City Engineer's Report titled " Sanitary Sewer Reimbursement District No. 29, attached hereto as Exhibit A, is hereby approved.

SECTION 2      Resolution 03-33 is hereby amended to add the revised City Engineer's Report.

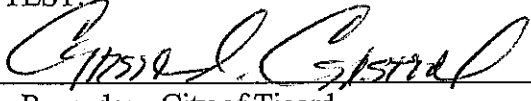
SECTION 3      The City Recorder shall cause a copy of this resolution to be filed in the office of the County Recorder and shall mail a copy of this resolution to all affected property owners at their last known address.

SECTION 4      This resolution is effective immediately upon passage.

PASSED:      This 22<sup>nd</sup> day of June 2004.

  
\_\_\_\_\_  
Mayor - City of Tigard

ATTEST:

  
\_\_\_\_\_  
~~City Recorder - City of Tigard~~  
Greer A. Gaston, Deputy City Recorder

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RESOLUTION NO. 04 - 46

**Exhibit A**  
Final City Engineer's Report  
**Sanitary Sewer Reimbursement District No. 29**  
**(SW Park and Derry Dell Streets)**

Background

This project was constructed and funded under the City of Tigard Neighborhood Sewer Extension Program (NSEP). Under the program, the City of Tigard installed public sewers to each lot within the project area. At the time the property owner connects to the sewer, the owner must pay a connection fee of \$2,435 (\$2,535 after June 30, 2004) and reimburse the City for a fair share of the cost of the public sewer. There is no requirement to connect to the sewer or pay any fee until connection is made. In addition, property owners are responsible for disconnecting their existing septic system according to Washington County rules and for any other modifications necessary to connect to the public sewer.

Project Area - Zone of Benefit

An existing sanitary sewer line in SW Watkins Avenue was extended south and a sewer in SW 107<sup>th</sup> Avenue was extended east along Park Street and Cook Lane to serve forty-six lots as shown on Exhibit Map B. The project provided sewer service to forty-six lots along the entire unserved portions of SW Park Street, Derry Dell Court, Cook Lane and Watkins Avenue.

Cost

The final cost for the sanitary sewer construction is \$689,609.02. Engineering and inspection fees amount to \$93,097.22 (13.5%) as defined in TMC 13.09.040(1). The final total project cost is \$782,706.24. This is the amount that should be reimbursed to the sanitary sewer fund as properties connect to the sewer and pay their fair share of the total amount. However, the actual amount that each property owner pays is subject to the City's incentive program for early connections.

In addition to sharing the cost of the public sewer line, each property owner will be required to pay an additional \$2,435 (\$2,535 after June 30, 2004) connection and inspection fee when connection to the public line is made. All owners will be responsible for all plumbing costs required for work done on private property.

Reimbursement Rate

All properties in this area are zoned R-4.5 but vary in lot size from about 10,000 square feet to over 22,000 as can be seen on the attached list of owners.

Therefore, it is recommended that the total cost of the project be divided among the forty-six properties proportional to the square footage of each property. Resolution 01-46 limits this fee to \$6,000 to the extent that it does not exceed \$15,000 per owner for connections completed within three years of final approval of the City Engineer's Report.

Other reimbursement methods include dividing the cost equally among the owners or by the length of frontage of each property. These methods are not recommended because there is no correlation between these methods and the cost of providing service to each lot or the benefit to each lot.

**Each property owner's estimated fair share of the public sewer line is \$1.0219 per square foot of the lot served. Each owner's fair share would be limited to \$6,000 to the extent that it does not exceed \$15,000, for connections completed within three years of City Council approval of the final City Engineer's Report following construction in accordance with Resolution 01-46 (attached). In addition to paying for the first \$6,000, owners will remain responsible for paying all actual costs that exceed \$15,000. Upon request, payment of costs that exceed \$15,000 may be deferred until the lot is developed as provided by Resolution 03-55.**

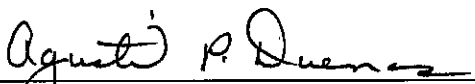
#### Annual Fee Adjustment

TMC 13.09.115 states that an annual percentage rate shall be applied to each property owner's fair share of the sewer line costs on the anniversary date of the reimbursement agreement. The Finance Director has set the annual interest rate at 6.05% as stated in City of Tigard Resolution No. 98-22.

#### Recommendation

It is recommended that a reimbursement district be formed with an annual fee increase as indicated above and that the reimbursement district continue for fifteen years as provided in the Tigard Municipal Code (TMC) 13.09.110(5). Fifteen years after the formation of the reimbursement district, properties connecting to the sewer would no longer be required to pay the reimbursement fee.

Submitted June 8, 2004

  
Agustin P. Duenas, P.E.  
City Engineer

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# Reimbursement District No. 29

*Cost to Property Owners Based on Final Project Cost*

## **Summary**

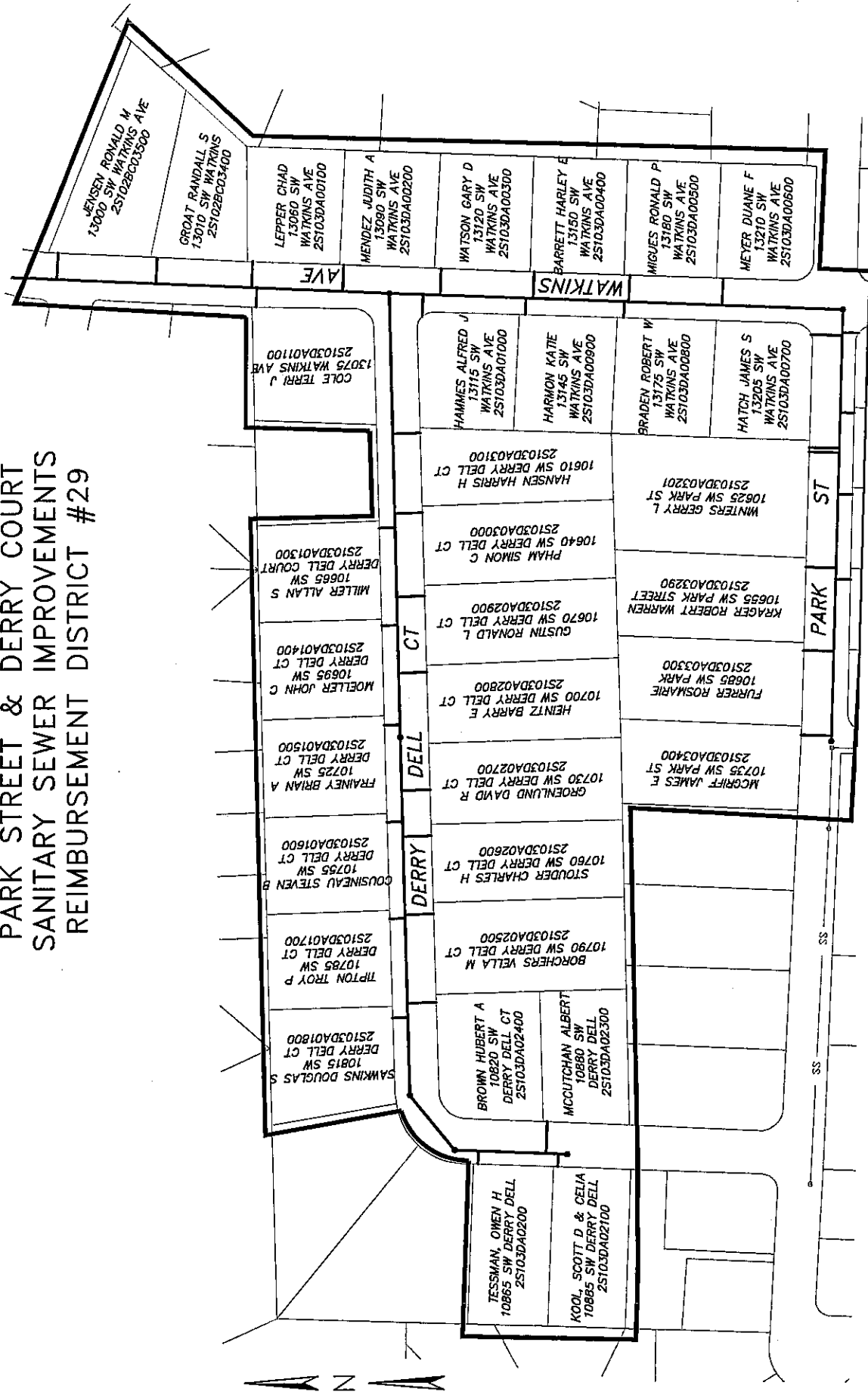
Final Construction Cost	<b>\$689,609.02</b>
13.5% contingency (Admin & Eng)	\$93,097.22
<b>total project costs</b>	<b>\$782,706.24</b>
total area to be served (S.F.)	765,925.35
total cost per S.F. to property owner	<b>\$1.0219</b>

# Reimbursement District No. 29

Cost to Property Owners Based on Final Construction Cost

			FINAL COST			
OWNER	SITE ADDRESS	AREA (S.F.)	TO PROPERTY OWNER	PAID BY OWNER	PAID BY CITY	
1 DUCAN JAN & BARRETT TIM	13150 SW WATKINS AVE	13926.64909	\$14,232	\$6,000	\$8,232	
2 BISHOP WILBUR A AND MARTHA E	10590 SW COOK LN	14646.50836	\$14,967	\$6,000	\$8,967	
3 BORCHERS VELLA M	10790 SW DERRY DELL	22358.89852	\$22,849	\$13,849	\$9,000	
4 BRADEN ROBERT W & KATHLEEN J	13175 SW WATKINS AVE	14429.44431	\$14,746	\$6,000	\$8,746	
5 BROWN HUBERT A	10820 SW DERRY DELL	16724.83997	\$17,091	\$8,091	\$9,000	
6 COLE TERRI J	13075 SW WATKINS AVE	18126.07349	\$18,523	\$9,523	\$9,000	
7 COUSINEAU STEVEN B &	10755 SW DERRY DELL	15367.02424	\$15,704	\$6,704	\$9,000	
8 FRAINEY BRIAN A & ABIGAIL J	10725 SW DERRY DELL	15366.98757	\$15,704	\$6,704	\$9,000	
9 FURRER ROSMARIE	10685 SW PARK ST	19762.54608	\$20,196	\$11,196	\$9,000	
10 GRAY GAYLE R	10660 SW PARK ST	14573.06828	\$14,892	\$6,000	\$8,892	
11 GROAT RANDALL S & CAROLYN J	13010 SW WATKINS	15404.02471	\$15,742	\$6,742	\$9,000	
12 GROENLUND DAVID R AND	10730 SW DERRY DELL	19533.50173	\$19,961	\$10,961	\$9,000	
13 GUSTIN RONALD L & TAMMY G	10670 SW DERRY DELL	19537.91667	\$19,966	\$10,966	\$9,000	
14 HAMMES ALFRED J HELEN L	13115 SW WATKINS AVE	14471.49969	\$14,789	\$6,000	\$8,789	
15 HANSEN HARRIS H SARA J	10610 SW DERRY DELL	17986.1348	\$18,380	\$9,380	\$9,000	
16 HARMON KATIE	13145 SW WATKINS AVE	14429.56599	\$14,746	\$6,000	\$8,746	
17 HATCH JAMES S/MARCIEL J &	13205 SW WATKINS ST	14347.22665	\$14,662	\$6,000	\$8,662	
18 HEINTZ BARRY E	10700 SW DERRY DELL	19537.74845	\$19,966	\$10,966	\$9,000	
19 HOLCOMBE GERALD A &	13485 SW WATKINS ST	14726.18773	\$15,049	\$6,049	\$9,000	
20 JENSEN RONALD M &	13000 SW WATKINS	20738.95548	\$21,193	\$12,193	\$9,000	
21 KOOL SCOTT D & CELIA C	10885 SW DERRY DELL	16201.93421	\$16,557	\$7,557	\$9,000	
22 KRAGER ROBERT WARREN	10655 SW PARK ST	20861.07951	\$21,318	\$12,318	\$9,000	
23 LEPPER CHAD & MI YOUNG	13060 SW WATKINS ST	14195.40658	\$14,506	\$6,000	\$8,506	
24 MCCUTCHAN ALBERT	10880 SW DERRY DELL	15118.21956	\$15,449	\$6,449	\$9,000	
25 MCGRIFF JAMES E/SHEILA M	10735 SW PARK ST	19211.32816	\$19,632	\$10,632	\$9,000	
26 MENDEZ JUDITH A	13090 SW WATKINS AVE	13905.98901	\$14,211	\$6,000	\$8,211	
27 MEYER DUANE FRANCIS	13210 SW WATKINS ST	13934.27425	\$14,240	\$6,000	\$8,240	
28 MIGUES RONALD P & DEBORAH R	13180 SW WATKINS AVE	13936.73103	\$14,242	\$6,000	\$8,242	
29 MILLER ALLAN S DOREEN J	10665 SW DERRY DELL	15365.72783	\$15,702	\$6,702	\$9,000	
30 MOELLER JOHN C & NANCY A	10695 SW DERRY DELL	15366.9509	\$15,704	\$6,704	\$9,000	
31 MURFINSIMMONS MATTHEW T &	13365 SW WATKINS ST	14375.98869	\$14,691	\$6,000	\$8,691	
32 NOLES DAVID R AND	10630 SW PARK ST	14667.82779	\$14,989	\$6,000	\$8,989	
33 PHAM SIMON C & REBECCA T	10640 SW DERRY DELL	19538.24056	\$19,966	\$10,966	\$9,000	
34 PONIATOWSKI-D'ERMENGARD	10665 SW COOK LANE	14468.20714	\$14,785	\$6,000	\$8,785	
35 PUGSLEY CLAYTON A &	10570 SW PARK ST	14778.43789	\$15,102	\$6,102	\$9,000	
36 RESLER MICHAEL D & BARBARA S	10620 SW COOK LANE	19574.84873	\$20,004	\$11,004	\$9,000	
37 PATINO CARLOS SR & BLANCA	10605 SW COOK LN	14465.75477	\$14,783	\$6,000	\$8,783	
38 SAWKINS DOUGLAS S &	10815 SW DERRY DELL	16763.55464	\$17,131	\$8,131	\$9,000	
39 SHOLES LANCE M &	10634 SW COOK LN	19572.73686	\$20,002	\$11,002	\$9,000	
40 STOUDEER CHARLES H TR &	10760 SW DERRY DELL	19537.0636	\$19,965	\$10,965	\$9,000	
41 TESSMAN OWEN H	10865 SW DERRY DELL	16199.23647	\$16,554	\$7,554	\$9,000	
42 TIPTON TROY P & MICHELLE J	10785 SW DERRY DELL	15367.06091	\$15,704	\$6,704	\$9,000	
43 WATSON GARY D &	13120 SW WATKINS AVE	13916.56716	\$14,221	\$6,000	\$8,221	
44 WEESE TERRY & DORI	10600 SW PARK ST	14764.34445	\$15,088	\$6,088	\$9,000	
45 WILLIAMS DAVID S	10635 SW COOK CT	14467.42728	\$14,784	\$6,000	\$8,784	
46 WINTERS GERRY L	10625 SW PARK ST	29375.61232	\$30,019	\$21,019	\$9,000	
Totals		765925.35	\$782,706.24	\$375,221	\$407,486	
					\$375,221	
					PROJECT TOTAL= \$782,706	

# PARK STREET & DERRY COURT SANITARY SEWER IMPROVEMENTS REIMBURSEMENT DISTRICT #29



**NOTE:**

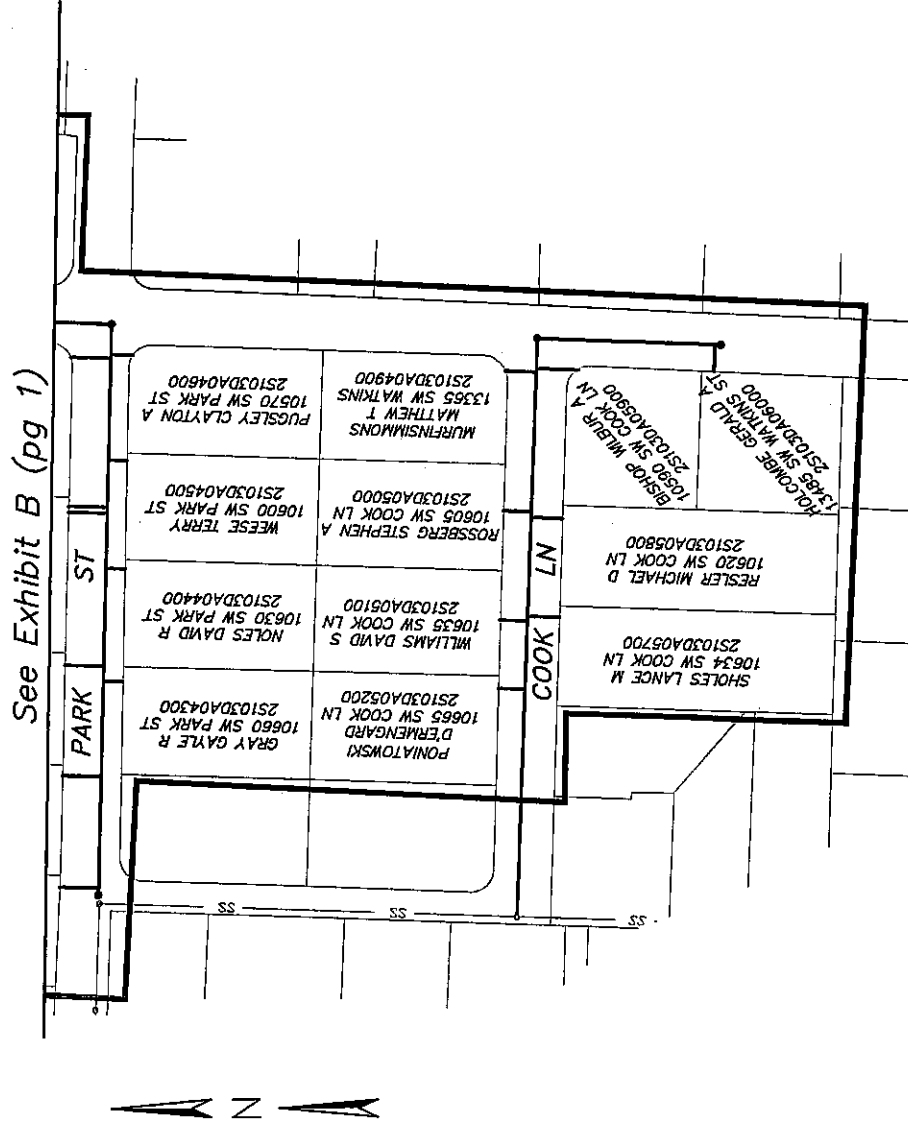
All properties in the reimbursement district are zoned R4.5

EXHIBIT B (pg 1)

NTS

See Exhibit B (pg 2)

# PARK STREET & DERRY COURT SANITARY SEWER IMPROVEMENTS REIMBURSEMENT DISTRICT #29



## **NOTE:**

All properties in the reimbursement district are zoned R4.5

EXHIBIT B (pg 2)  
NTS